



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicants: | Katsumasa Nonoshita, et al | |
| Serial No.: | 10/582,564 ✓ | Case No.: BY0034YP |
| Filed: | June 12, 2006 | Art Unit: |
| For: | NOVEL 2-HETEROARYL-SUBSTITUTED BENZIMIDAZOLE DERIVATIVE | Examiner: |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22123-1450

**COMMUNICATION IN RESPONSE TO NOTICE
OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371**

Sir:

This communication is in response to the Notice dated March 2, 2007 in the referenced above-captioned patent application. The Notice indicates that a translation of the application into English is required.

Applicants submitted the translation upon filing in the U.S. but the verification was inadvertently omitted. A new copy of the translation and the verification are submitted herewith.

Since the translation was submitted with 30 months from the priority date, it is urged that no additional fee is due.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.
By Pamela Spalding, Date 3-23-07

If the Patent Office disagrees, any additional fees may be charged to our deposit account, no. 13-2755. If the Examiner has any questions, he or she is respectfully requested to telephone the undersigned.

Respectfully submitted,



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VERIFICATION OF TRANSLATION

I, Seita KOITO, a Japanese Patent Attorney registered No. 13222 having my business office at Banyu Pharmaceutical Co., Ltd., Kitanomaru Square 1-13-12, Kudankita, Chiyoda-ku, Tokyo 102-8667, Japan, do hereby certify:

1. That I am familiar with the Japanese language and the English language; and
2. That, to the best of my knowledge and belief, the attached document represents a true and correct English language translation of Japanese Patent Application No.PCT/JP2004/019843, our case No.BY0034Y, which was filed with Japanese Receiving Office on December 28, 2004.

Signed at Tokyo, Japan, this 10th day of May, 2006

A handwritten signature in black ink, appearing to read "Seita Koito".

Seita KOITO